

JUDGE'S COPY

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

July 21, 2001

TO: U.S. DISTRICT COURT  
CLERK OF COURTS  
228 WALNUT STREET  
P.O. BOX 983  
HARRISBURG, PA. 17108

FROM: BRETT T. CULVER DD-3483  
301 MOREA ROAD  
FRACKVILLE, PA. 17932

FILED  
HARRISBURG

JUL 26 2001

MARY E. D'ANDREA, CLERK  
Per [Signature]  
DEPUTY CLERK

Dear Clerk of Courts.

I submitted the Complaint for a Civil Action 42 U.S.C. sec. 1983 (Case No. 1:01-cv-00904) on May 15, 2001, with a Amended Complaint dated the 28 of June, but have not received any response from the Court, nor have the defendants' of that Action been served. I filed for Preliminary protection/relief from the defendants' in the Case Action because of the continuous ongoing retaliatory abuses I suffer while subjugated to the treatment of the offending defendants'.

Could you please inform me as to why the Court has not taken any action or why the defendants' have not been served?

Temporary Restraining Orders were filed against four of the defendants (T.E. Miknich, Robert D. Shannon, Kevin Kane, Vincent Mooney), which also have not been served.

I followed the filing directions that were given. Is there any problems with the filing procedures that I should be informed of? Please inform me as to the delay in these matters, for I'm presently suffering retaliatory abuses from the defendants' in this Action.

Please also find included AFFIDAVIT on latest retaliatory incident of report by defendants' dated 7-20-01, and include to the record in Case No. 1:01-cv-00904.

Sincerely,

Brett Culver

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BRETT T. CULVER

Plaintiff,

AFFIDAVIT

v.

Case No. 1:01-cv-00904

COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF CORRECTIONS;  
Martin T. Horn, Secretary,  
Jeffrey A. Beard, Secretary,  
T.E. Miknich, Correctional Officer,  
Robert D. Shannon, Superintendent,  
Carol M. Dotter, Grievance Coordinator,  
Linda Chismar, Unit Manager,  
Vincent Mooney, Captain of Security,  
Kevin Kane, Hearing Examiner,  
John Doe, Property Office Personnel,  
All former or current employees of the  
Department of Corrections, and/or the  
State Correctional Institution at Mahanoy  
in their individual capacities,  
Defendants.

I Brett T. Culver hereby declare:

On the date of July 19, 2001 at approximately 8:45 A.M. this plaintiff Brett T. Culver was again accosted and harassed by the defendant T.E. Miknich when this plaintiff attempted to leave the Law Library Services at the Progressive Programs Building (SCI Mahanoy Frackville, PA.). Defendant T.E. Miknich held plaintiffs' movement pass as he tried to instigate an altercation by jeering and harassing this plaintiff. Upon returning to the I-B Housing Unit, plaintiff reported the incident to the Housing Unit Counselor Ms. Sabulsky, who entered a report in the file.

The defendant T.E. Miknich has continuously accosted, assaulted, harassed, stalked, and instigated altercations against/with this plaintiff. The defendant uses his position and power of authority to commit acts of misconduct, abuse, and corruption. This has been a demonstrated practice of continuous aggression and attacks by the defendant against this plaintiff since August of 2000 to present. Defendant T.E. Miknich refuses to desist from said conduct and actions of abuses and crimes committed against this plaintiff, and the Administrative officials at the SCI Mahanoy facility have refused to provide this plaintiff with relief and/or protection from abuses by the defendant T.E. Miknich, and have also supported, propagated, and collaborated in abuses committed against this plaintiff by this defendant and other staff officials. The Administrative officials at Camp Hill, PA. have also denied this plaintiff any relief or protection from the abuses and adverse treatment by the offending staff and officials at the SCI Mahanoy facility, to which authority and treatment this plaintiff is forcibly subjugated to.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 20 day of July, 2001

Signature, Brett T. Culver